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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/623,238

07/17/2003

Edward Lynch

3068

2886

26822

7590

08/10/2006

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EXAMINER

KRASS, FREDERICK F

ART UNIT

PAPER NUMBER

1614

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Prosecution is Closed per Ex Parte Quayle

This application is in condition for allowance except for the following formal matters:

- 1) The oath or declaration is defective.

The originally filed oath in this case relies on USSN 10/096,050 (now USP 6,649,148) and Provisional Application 60/279,795, respectively, for priority. A careful review of the facts and circumstances of this case readily reveals, however, that those application numbers are in error; this case should in fact rely for priority on USSN 10/097,679 (now USP 6,669,931) and Provisional Application 60/279,969, respectively.

A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

- 2) The examiner additionally notes the following informality, which should be corrected in responding to this Office action: claim 5, third line, “lesions” should be singularized.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Art Unit: 1614

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick Krass whose telephone number is (571) 272-0580. The examiner can normally be reached on Monday-Friday from 9:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached at (571) 272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frederick Krass
Primary Examiner
Art Unit 1614

